

Kevin L. Hernandez, Esq.
Nevada Bar No. 12594
**LAW OFFICE OF KEVIN L.
HERNANDEZ**
2510 Wigwam Parkway, Suite 206
Henderson, Nevada 89074
T: (702) 563-4450
F: (702) 552-0408
kevin@kevinhernandezlaw.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEILA I. BENITEZ, an individual;

Plaintiff,

v.

CAPITAL ONE BANK USA, N.A., a national
banking association; CITIBANK, N.A, a
national banking association; COMENITY
BANK, a national banking association;
EQUIFAX, INC., a foreign corporation;

Defendants.

Case No.: 2:17-cv-02037-RFB-GWF

**STIPULATION AND ORDER FOR
DISMISSAL OF DEFENDANT
CAPITAL ONE BANK (USA), N.A.
WITH PREJUDICE**

Plaintiff, Keila I. Benitez (“Plaintiff”), and Defendant, Capital One Bank (USA), N.A.
 (“Capital One”) (the “Parties”) have resolved all claims, disputes, and differences between the
 Parties.

///

///

///

///

///

///

///

///

///

Therefore, Plaintiff and Capital One, by and through their respective attorneys of record, and subject to the court's approval, respectfully request dismissal of the above-captioned matter with prejudice under FRCP 41(a) as to Capital One, with Plaintiff and Capital One bearing their own attorneys' fees and costs incurred in this action.

Respectfully Submitted.

Dated: December 19, 2017

Dated: December 19, 2017

**LAW OFFICE OF
KEVIN L. HERNANDEZ**

FERNALD LAW GROUP LLP

/s/ Kevin L. Hernandez
Kevin L. Hernandez, Esq.
Nevada Bar No. 12594
2510 Wigwam Parkway, Suite 206
Henderson, Nevada 89074
kevin@kevinhernandezlaw.com
Attorney for Plaintiff

/s/ Brandon C. Fernald
Brandon C. Fernald, Esq.
Nevada Bar No. 10582
6236 Laredo Street
Las Vegas, Nevada 89146
brandon.fernald@fernaldlawgroup.com
*Attorneys for Defendant Capital One Bank
USA, N.A.*

**ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT CAPITAL ONE
BANK (USA), N.A.**

Pursuant to the stipulation of the Parties under FRCP 41(a), Capital One is dismissed with prejudice. Plaintiff and Capital One will bear their own attorneys' fees and costs incurred in this action.

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
United States District Judge

DATED this 20th day of December, 2017.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing **STIPULATION AND ORDER FOR DISMISSAL OF DEFENDANT CAPITAL ONE BANK (USA), N.A. WITH PREJUDICE** was electronically served to the following parties:

Brandon C. Fernald, Esq.
FERNALD LAW GROUP LLP
6236 Laredo Street
Las Vegas, Nevada 89146
brandon.fernald@fernaldlawgroup.com
*Attorneys for Defendant Capital
One Bank USA, N.A.*

Dated: December 19, 2017

/s/ Caesy Morales
An Employee of the Law Office of Kevin L.
Hernandez